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LubovMarsavicAffidavit3

Robert L. Rattet, Esq.
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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

HOTI ENTERPRISES, L.P.

Chapter 11
Case No. 10-24129(RDD)

Debtor.

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In re:

HOTI REALTY MANAGEMENT, CO., INC.

Chapter 11
Case No. 10-24130 (RDD)

Debtor.

-----X

DECLARATION OF LJUBO MARASAVIC

Ljubo Marasavic, declares under penalties of perjury pursuant to 28 USC section 1746 as follows:

1. I am the superintendent at the property located at 2801 Fillmore Avenue, 3001 Avenue R and 2719 Fillmore Avenue (collectively, known as “1865 Burnett Street”) Brooklyn, New York (the “Property”) for the last (10) ten years. I submit this affidavit based upon my personal knowledge of the facts at issue herein.

2. Since the Receiver took possession of the property the apartments are now

infested with roaches and rats because Receiver has failed to provide monthly pest control.

3. In addition, the safety of the tenants are now at risk because Receiver has failed to keep the Property properly secured.

4. The Receiver has allowed the automatic gates enclosing the Property to fall in to disrepair allowing intruders to enter the Property;

5. The Receiver has also allowed the security cameras to fall into disrepair and they are currently not working;

6. In the storms of March 2010 a 700 foot fence blew over into the parking lot and remained on the parking lot for months causing a tenant to injure herself;

7. The Receiver has also failed to keep the outside security lights on at night since she took possession of the Property.

8. In addition, although I have been requested by tenants to make necessary repairs to apartments, I have not been provided with the necessary funds to make such repairs. In order to make the repairs I am forced to use my personal funds and then I am forced to wait for several weeks to be reimbursed. I am still owed over \$1,500.00 from the Receiver and I have not been reimbursed.

9. Most alarmingly, the Receiver failed to repair water damaged to one of the buildings damaged by the March 2010 storm for over 6 months causing ceilings above the front windows in the apartments to “cave in”.

10. The Receiver also reduced certain the rents at the 3006 Avenue R building without the authority of Department of Housing Community and Renewal which must approve any rent increases or decreases to rent stabilized apartments.

11. She has also allowed the beautiful landscaping to be ruined by her failure to authorize me to turn on sprinkler system for 16 months causing the grass & shrubbery to dry up.

12. She also failed to provide sufficient funds for supplies to fertilize the lawns & shrubs for 6 months causing weeds to over take the lawn. There were also no funds to purchase salt for snow and ice removal in the winter causing slip hazards to tenants and pedestrians.

13. In addition, the Property now has a vacancy rate of 40% and although I have been requested by Victor Dedvukaj to show the apartments, but the Receiver's management company BRC Management, has not authorized me to do so and in fact has threatened to fire me if I showed any of the apartments to prospective tenants.

14. One such prospective tenant, Linda Harris, who previously lived at the Property has been begging BPC Management for over one (1) year to allow her to re-rent one of the apartments. She had previously moved to Florida and wanted to return home. She has gone so far as to offer to pay more than the market rate rent in order to rent an apartment.

/s/ Ljubo Marasavic
Ljubo Marasavic

**VERIFICATION/DECLARATION UNDER PENALTY
OF PERJURY BY LJUBO MARASAVIC**

I, Ljubo Marasavic declares under penalty of Perjury pursuant to 28 U.S.C. §1746 that I have read the foregoing affidavit and that it is true and correct to the best of my knowledge, information and belief except as to the matters therein stated to be alleged upon information and belief.

Dated: Harrison, New York
November 17, 2010

/s/ Ljubo Marasavic
Ljubo Marasavic